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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,671	08/19/2003	Kazuo Tadanobu	2003_1105A	3517
513	7590	04/08/2005		EXAMINER
WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			DINKINS, ANTHONY	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/642,671	TADANOBU ET AL.	
	Examiner	Art Unit	
	Anthony Dinkins	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 August 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5 and 9 is/are rejected.
- 7) Claim(s) 6-8 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/19/03
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-5 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Tadanobu et al. (6,680,841). Tadanobu et al. disclose a solid electrolytic capacitor comprising a capacitor element (17) having an anode section (19) and a cathode section (20) formed by separating an anode body made of a valve action metal, the capacitor element having a dielectric oxide layer (17B), a solid electrolyte layer, and a cathode layer that are sequentially laminated on a surface of the cathode section (20); and an anode lead frame (22) having a first through hole (21) in a joint surface for supporting the anode section (19), wherein the anode section (19) is coupled to the anode lead frame (22) via the first through hole (21). Regarding claim 2, further comprising a rivet (31) made of metallic material different from a material of the anode lead frame, the rivet being inserted into the first through hole (21), wherein the rivet is crimped, and the anode section

(19) is coupled to the anode lead frame (22) via the rivet (31). Regarding claim 3, wherein the metallic material forming the rivet is easily welded to the anode section see, col. 14, col. 14, lines 17-19 and 43-44. Regarding claim 4, further comprising a spacer (26) made of a metallic material different from a material of the anode lead frame, the spacer being buried in the first through hole, wherein the anode section is coupled to the anode lead frame via the spacer (26) see col. 12, lines 54-56. Regarding claim 5, wherein the metallic material forming the spacer is easily welded to the anode section (19) col. 12, lines 54-56. Regarding claim 9, wherein the method of manufacturing a solid electrolytic capacitor is the counterpart of the article claim 1, therefore claim 9 to is also rejected under 35 U.S.C. 102(e) as being anticipated by Tadanobu et al. (6,680,841).

Allowable Subject Matter

2. Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 6, the allowability in combination with the other claimed features is because nowhere in the prior art is there a solid electrolytic capacitor having the second through hole is communicated with the first through hole, and the anode section is coupled to the anode lead frame via the communicated the first through hole and the second through hole.

Citation of Pertinent Prior Art

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hata et al. 6,768,632

Pearce et al. 3,766,442

Kida et al. 6,816,358

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Dinkins whose telephone number is (571) 272-1972. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anthony Dinkins
Primary Examiner
Art Unit 2831


ANTHONY DINKINS
PRIMARY EXAMINER